

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:07-CV-500-FL

This matter is before the court on the Memorandum and Recommendation (“M&R”) of United States Magistrate Judge William A. Webb, regarding the parties’ cross-motions for judgment on the pleadings. No objections to the M&R have been filed, and the time within which to make any objection has expired. This matter is ripe for ruling.

The court hereby ADOPTS the recommendation of Magistrate Webb as its own, and, for the reasons stated therein, plaintiff's motion is DENIED IN PART AND GRANTED IN PART, defendant's motion is DENIED IN PART AND GRANTED IN PART, and this matter is REVERSED AND REMANDED to permit an administrative law judge to make specific findings regarding the Department of Veteran Affairs' disability ratings. The clerk of court is directed to close the case.

SO ORDERED, this the 1st day of December, 2008.

LOUISE W. FLANAGAN
Chief United States District Judge